

REMARKS

Reconsideration of this application is respectfully requested. Claims 1-51 are pending. Claims 18-32 and 42-51 are withdrawn from consideration. Claims 1 and 9 have been amended. Claim 41 was previously cancelled without prejudice or disclaimer. No new matter has been added by this amendment. Claims 1-17 and 33-40 are currently at issue.

Claim amendments

Claims 1 and 9 have been amended to more particularly describe the invention. Support for this amendment can be found in the specification (See, for example page 1, lines 4-8 and page 3, line 27 through page 4, line 11). No new matter has been added by these amendments.

Rejections Under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a)

Claims 1-2, 4-14, 16, 33-36, 38 and 39 remain rejected under 35 U.S.C. § 102(e) as being anticipated by, or alternatively obvious over, U.S. Patent No. 6,376,611 to Matzinger (“Matzinger”). In maintaining the rejection, the Examiner states that the hybrid polymers and copolymers of the ink in Matzinger anticipate the polymers or copolymers of the ink in the present invention. The Examiner states that the hybrid polymer of Matzinger is identical to the polymer of the instant application. The Examiner further states that the hybrid polymers are applied to a suitable substrate, such as aluminum or metal. In the alternative, the Examiner states that the claimed ink is obvious over the ink compositions of Matzinger.

In response to applicant’s previous arguments that Matzinger discloses ink compositions applied to final printing surface, while the present claims are directed to a lithographic printing form, the Examiner states that, “the process of using the lithographic printing form in a printing process is not claimed in the instant application” (See, page 7, fourth paragraph, Final Office Action mailed January 8, 2008).

Applicant’s maintain their previous position, as stated in their October 15, 2007 response to the Official Action mailed April 17, 2007. However, in an effort to expedite prosecution,

independent claims 1 and 9 have been amended to recite “wherein the substrate and ink comprise the lithographic printing form.”

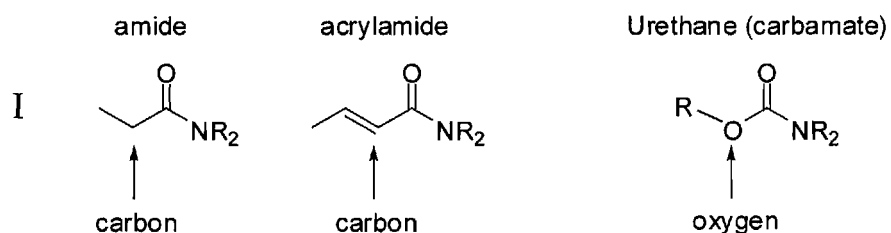
Matzinger does not teach a printing form as required by the present claims, but rather Matzinger teaches a “hot melt” ink and a process for applying this ink to a final printed surface. In addition, Matzinger contains no suggestion of a lithographic printing form comprising a substrate and ink, or the use of a “hot melt” ink in the preparation of a lithographic printing form as presently claimed.

For the foregoing reasons, Matzinger does not anticipate or make obvious claim 1 or 9 of the present invention. Claims 2, 4-8 and 33-35 depend from claim 1 and are therefore also not anticipated by or obvious over Matzinger. Claims 10-14, 16, 38 and 39 depend from claim 9 and are therefore also not anticipated by or obvious over Matzinger. The Examiner is therefore respectfully requested to withdraw the rejection of claims 1-2, 4-14, 16, 33-36, 38 and 39.

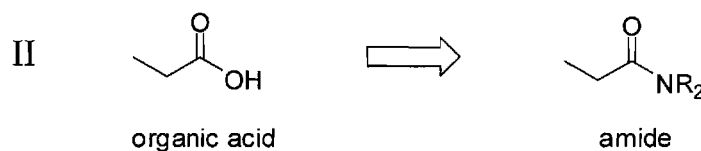
Rejections Under 35 U.S.C. § 103(a)

The Examiner has also newly rejected claims 1-4, 6, 8-11, 13, 15-17, 33, 36, 37 and 40 as allegedly obvious over Frenkel et al. WO 01/34394 (“Frenkel”) in view of Zou et al. US. Pat. No. 5,981,625 (“Zou”) and Hansen et al. U.S. Patent No. 4,598,118 (“Hansen”). The Examiner states that Frenkel discloses an inkjet fluid comprising a copolymer of urethane “which comprise amide groups in the structure.” The Examiner further asserts that Frenkel, Zou and Hansen disclose all of the limitations of the rejected claims and that it would have been obvious to one of ordinary skill in the art to combine these references in order to achieve the present claims.

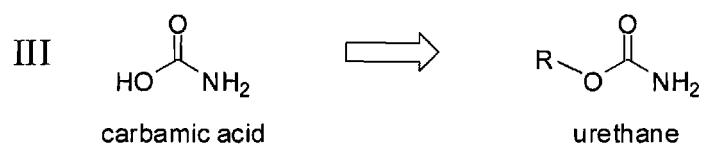
It is respectfully submitted that Frenkel does not teach a copolymer comprising amide groups in the structure. Frenkel instead discloses a copolymer of urethane, (See page 9, line 6 of Frenkel). However, a urethane *does not* comprise an amide group in its structure. An amide and a urethane both contain the $-C(O)NR_2$ group, but are chemically distinct because the $-C(O)NR_2$ group of an amide is covalently bound to a carbon, while the $-C(O)NR_2$ group in a urethane is covalently bound to an oxygen. This is depicted structurally below:



The Random House Dictionary defines an amide as, “an organic compound obtained by replacing the –OH group in acids by the –NH₂ group” (See page three of the Appendix). This is shown structurally by:



While a urethane is defined as, “any derivative of carbamic acid having the formula NH₂COOR” (See page four of the Appendix). This is shown structurally by:



Furthermore, the claims of the present invention call for “an ink comprising a polymer or copolymer with acid groups wherein at least one of said groups has been converted to the corresponding amide.” As described above, urethane cannot be a “corresponding amide” of an “acid group” as contemplated by the present invention because a urethane is a derivative of carbamic acid, not an organic acid (Compare II vs. III above).

Therefore, the ink contemplated by the present invention is chemically different from the ink disclosed by Frenkel. Neither Zou and Hansen compensate for the deficiency of Frenkel, since neither Zou nor Hansen describe the claimed lithographic printing form or related methods.

For the foregoing reasons, claims 1 and 9 are not obvious over Frenkel, Zou or Hansen, either alone or in combination. Claims 2-4, 6-8 and 33 depend from claim 1 and are therefore also not anticipated by or obvious over Matzinger. Claims 9-11, 13, 15-17, 36, 37 and 40 depend from claim 9 and are therefore also not anticipated by or obvious over Matzinger. The Examiner is therefore respectfully requested to withdraw the rejection of claims 1-4, 6, 8-11, 13, 15-17, 33, 36, 37 and 40.

In view of the preceding comments and amendments, the pending claims are believed to be in condition for allowance and such action is earnestly solicited. Applicants reserve the right to pursue the cancelled and/or non-elected subject matter in one or more continuation or divisional applications.

If there are any other issues remaining, which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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